

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JERARDO RODRIGUEZ,

3:13-CV-00414-HU

Plaintiff,

ORDER

v.

DENISE G. FJORDBECK, Asst.  
Atty. General; JOHN R. KROGER,  
Atty. General; MARY H. WILLIAMS,  
Solicitor General; HARDY MYERS,  
Atty. Gen.; LEIGH A. SALMON,  
Asst. Atty. General; JAMES  
K. HEIN, OSB No. 054621;  
KATHERINE VON TER STEGGE,  
Asst. Atty. General; KRISTIN  
A. WINGS, Asst. Atty. General,

Defendants.

BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#5) on March 22, 2013, in which he recommends the Court dismiss this matter with prejudice and without service on Defendants. Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant

to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*).

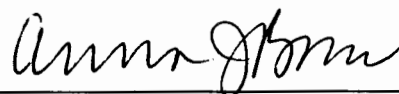
This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#5) and, therefore, **DISMISSES** this matter **with prejudice** and without service on Defendants.

IT IS SO ORDERED.

DATED this 20<sup>th</sup> day of May, 2013.



ANNA J. BROWN  
United States District Judge